

CLERK'S CERTIFICATE TO RECORD

STATE OF MISSISSIPPI
COUNTY OF JONES
SECOND JUDICIAL DISTRICT

RHONDA EDWARDS

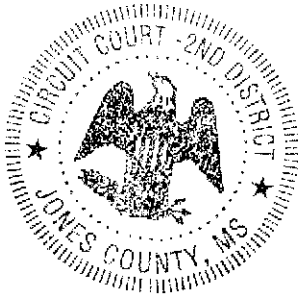
VS

CAUSE #2012-40-CV4

WAL-MART STORES, INC.

I, Bart Gavin, Clerk of the Circuit Court, in and for the above named County and state, do hereby certify that the foregoing and attached is a true and correct copy of the record in the above styled and numbered cause and same appears on record now on file in this office, in the City of Laurel, Mississippi, Second Judicial District of Jones County, Mississippi.

Witness my hand and seal of the Circuit Court, this the 29th day of June, 2012.



Bart Gavin, Circuit Clerk
Jones County, Mississippi

George Bush DC
Deputy Clerk

EXHIBIT A

COVER SHEET		Court Identification Docket #		Case Year	Docket Number
Civil Case Filing Form (To be completed by Attorney/Party Prior to Filing of Pleading)		34	2	CI	2012
		County #	Judicial District	Court ID (CH, CI, CO)	40
		04	24	1	CV4
		Month	Date	Year	Local Docket ID
Mississippi Supreme Court Administrative Office of Courts		Form AOC/01 (Rev 2009)		This area to be completed by clerk	
In the CIRCUIT		Court of JONES	County -	SECOND	Judicial District
Origin of Suit (Place an "X" in one box only)					
<input checked="" type="checkbox"/> Initial Filing	<input type="checkbox"/> Reinstated	<input type="checkbox"/> Foreign Judgment Enrolled	<input type="checkbox"/> Transfer from Other court	<input type="checkbox"/> Other	
<input type="checkbox"/> Remanded	<input type="checkbox"/> Reopened	<input type="checkbox"/> Joining Suit/Action	<input type="checkbox"/> Appeal		
Plaintiff - Party(ies) Initially Bringing Suit Should Be Entered First - Enter Additional Plaintiffs on Separate Form					
Individual EDWARDS		RHONDA			
Last Name		First Name		Maiden Name, if applicable	M.I. Jr./Sr./III/IV
Check (x) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style: Estate of _____					
Check (x) if Individual Plaintiff is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity: D/B/A or Agency _____					
Business _____					
Enter legal name of business, corporation, partnership, agency - If Corporation, indicate the state where incorporated					
Check (x) if Business Plaintiff is filing suit in the name of an entity other than the above, and enter below: D/B/A _____					
Address of Plaintiff 518 DUSTY ROAD, SOSO, MS 39480					
Attorney (Name & Address) LEN MELVIN, PO BOX 221, HATTIESBURG, MS 39403				MS Bar No. 2864	
Check (x) if Individual Filing Initial Pleading is NOT an attorney					
Signature of Individual Filing: _____					
Defendant - Name of Defendant - Enter Additional Defendants on Separate Form					
Individual					
Last Name		First Name		Maiden Name, if applicable	M.I. Jr./Sr./III/IV
Check (x) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style: Estate of _____					
Check (x) if Individual Defendant is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity: D/B/A or Agency _____					
Business WAL-MART STORES, INC.					
Enter legal name of business, corporation, partnership, agency - If Corporation, indicate the state where incorporated					
Check (x) if Business Defendant is acting in the name of an entity other than the above, and enter below: D/B/A _____					
Attorney (Name & Address) - If Known				MS Bar No. _____	
Damages Sought: Compensatory \$ _____ Punitive \$ _____					
Check (x) if child support is contemplated as an issue in this suit.*					
*If checked, please submit completed Child Support Information Sheet with this Cover Sheet					
Nature of Suit (Place an "X" in one box only)					
Domestic Relations		Business/Commercial		Children/Minors - Non-Domestic	
<input type="checkbox"/> Child Custody/Visitation	<input type="checkbox"/> Accounting (Business)	<input type="checkbox"/> Adoption - Contested	<input type="checkbox"/> Adoption - Uncontested	<input type="checkbox"/> Adverse Possession	
<input type="checkbox"/> Child Support	<input type="checkbox"/> Business Dissolution	<input type="checkbox"/> Consent to Abortion Minor	<input type="checkbox"/> Removal of Minority	<input type="checkbox"/> Ejectment	
<input type="checkbox"/> Contempt	<input type="checkbox"/> Debt Collection	<input type="checkbox"/> Other _____		<input type="checkbox"/> Eminent Domain	
<input type="checkbox"/> Divorce: Fault	<input type="checkbox"/> Employment	Civil Rights		<input type="checkbox"/> Eviction	
<input type="checkbox"/> Divorce: Irreconcilable Diff.	<input type="checkbox"/> Foreign Judgment	<input type="checkbox"/> Elections	<input type="checkbox"/> Expungement	<input type="checkbox"/> Judicial Foreclosure	
<input type="checkbox"/> Domestic Abuse	<input type="checkbox"/> Garnishment	<input type="checkbox"/> Habeas Corpus	<input type="checkbox"/> Post Conviction Relief/Prisoner	<input type="checkbox"/> Lien Assertion	
<input type="checkbox"/> Emancipation	<input type="checkbox"/> Replevin	<input type="checkbox"/> Other _____		<input type="checkbox"/> Partition	
<input type="checkbox"/> Modification	<input type="checkbox"/> Other _____	Contract		<input type="checkbox"/> Tax Sale: Confirm/Cancel	
<input type="checkbox"/> Paternity	Probate		<input type="checkbox"/> Breach of Contract	<input type="checkbox"/> Title Boundary or Easement	
<input type="checkbox"/> Property Division	<input type="checkbox"/> Accounting (Probate)	<input type="checkbox"/> Birth Certificate Correction	<input type="checkbox"/> Installment Contract	<input type="checkbox"/> Other _____	
<input type="checkbox"/> Separate Maintenance	<input type="checkbox"/> Commitment	<input type="checkbox"/> Conservatorship	<input type="checkbox"/> Insurance	Torts	
<input type="checkbox"/> Termination of Parental Rights	<input type="checkbox"/> Guardianship	<input type="checkbox"/> Heirship	<input type="checkbox"/> Specific Performance	<input type="checkbox"/> Bad Faith	
<input type="checkbox"/> UIFSA (eff 7/1/97; formerly URESA)	<input type="checkbox"/> Intestate Estate	<input type="checkbox"/> Minor's Settlement	<input type="checkbox"/> Other _____	<input type="checkbox"/> Fraud	
<input type="checkbox"/> Other _____	<input type="checkbox"/> Muniment of Title	<input type="checkbox"/> Name Change	Statutes/Rules		<input type="checkbox"/> Loss of Consortium
Appeals		<input type="checkbox"/> Testate Estate	<input type="checkbox"/> Bond Validation	<input type="checkbox"/> Malpractice - Legal	
<input type="checkbox"/> Administrative Agency	<input type="checkbox"/> Will Contest	<input type="checkbox"/> Other _____	<input type="checkbox"/> Civil Forfeiture	<input type="checkbox"/> Malpractice - Medical	
<input type="checkbox"/> County Court			<input type="checkbox"/> Declaratory Judgment	<input type="checkbox"/> Mass Tort	
<input type="checkbox"/> Hardship Petition (Driver License)			<input type="checkbox"/> Injunction or Restraining Order	<input checked="" type="checkbox"/> Negligence - General	
<input type="checkbox"/> Justice Court			<input type="checkbox"/> Other _____	<input type="checkbox"/> Negligence - Motor Vehicle	
<input type="checkbox"/> MS Dept Employment Security				<input type="checkbox"/> Product Liability	
<input type="checkbox"/> Worker's Compensation				<input type="checkbox"/> Subrogation	
<input type="checkbox"/> Other _____				<input type="checkbox"/> Wrongful Death	
				<input type="checkbox"/> Other _____	

IN THE CIRCUIT COURT OF JONES COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT

RHONDA EDWARDS

PLAINTIFF

VERSUS

CAUSE NO.: 2012-40-CV4

WAL-MART STORES, INC.

DEFENDANT

JURY TRIAL REQUESTED

COMPLAINT

COMES NOW, Plaintiff, RHONDA EDWARDS, by and through counsel, and files this cause of action against the Defendant, WAL-MART STORES, INC., and in support thereof, would show the following, to wit:

A. PARTIES

1.

The Plaintiff, RHONDA EDWARDS is and adult resident citizens of Jones County, Mississippi.

2.

The Defendant, WAL-MART STORES, INC. is a Delaware corporation authorized to do and doing business in the State of Mississippi, and may be served with process by serving a copy of the Summons and Complaint upon its registered agent for process, CT Corporation Systems, 645 Lakeland East Drive, Suite 101, Flowood, Mississippi 39232.

B. JURISDICTION AND VENUE

3.

This Honorable Court has jurisdiction of the subject matter and the parties to this action as the accident, which is the subject of this lawsuit, took place in the Second Judicial District of Jones County, Mississippi.

FILED

APR 24 2012

BART GAVIN
CIRCUIT CLERK
JONES COUNTY, MS

4.

Venue is proper in the Second Judicial District of Jones County pursuant to Mississippi Code Annotated Section 11-11-3, and pursuant to Mississippi law.

C. FACTUAL BACKGROUND

5.

The Plaintiff herein adopts and incorporates paragraphs 1 through 4 of this Complaint.

6.

On or about May 28, 2010 and at all material times herein, the Plaintiff was a business invitee in the store and business establishment of the Defendant, WAL-MART STORES, INC., located at 1621 Highway 15 North, Laurel, Mississippi. While walking along an aisle in the crafts section of the store, the Plaintiff slipped in a pink liquid substance on the floor, causing her to fall and injure her body, including but not limited to, her left knee, left shoulder, left arm, and left wrist.

7.

Prior to slipping in the pink liquid substance and falling to the floor, the Plaintiff had no knowledge that the liquid substance was on the floor, and was given no prior notice of the dangerous condition caused by the liquid substance.

D. CLAIMS AND CAUSES OF ACTION

8.

The Plaintiff herein adopts and incorporates paragraphs 1 through 7 of this Complaint.

9.

The Defendant, WAL-MART STORES, INC., either knew or should have known of the dangerous condition of the pink liquid substance on the floor in the crafts section, which trailed

from the aisle in which the Plaintiff was walking to a main aisle in the store. The Defendant was negligence in failing to warn its customers and business invitees, including the Plaintiff, of the dangerous condition and was negligent in failing to properly remove the liquid substance from the floor to ensure a reasonably safe condition for the use of its patrons.

10.

The Defendant's negligence is the sole and proximate cause of her injuries. Further, the defendant is vicariously liable for the negligence of its employees in this matter.

11.

At all material times herein, the Defendant acted negligently in the following ways:

- (a) Failing to exercise reasonable care to protect Plaintiff from injury on the premises;
- (b) Failing to make reasonable inspections to discover the hazardous conditions on the premises of the liquid substance on the floor and to take reasonable steps to protect its customers and business invitees, including the Plaintiff, from such conditions;
- (c) Failing to establish and/or carry out regular inspections of its premises to discover dangerous conditions to protect its customers and business invitees, including the Plaintiff, from injury;
- (d) Failing to correct the dangerous conditions of the liquid substance on the floor;
- (e) Failing to implement preventive measures designed to eliminate or reduce the danger posed by the dangerous condition of the liquid substance on the floor;
- (f) Failing to adequately sign, signal, cone, barricade or otherwise adequately provide notice to advise its customers and business invitees, including the Plaintiffs, of the dangerous condition of the liquid substance on the floor;

- (g) Failing to place adequate signs, signal, cones, barricades or notices in such a way as to warn its customers and business invitees, including the Plaintiffs, of the dangerous condition of the liquid substance on the floor;
- (h) Failing to otherwise adequately warn its customers and business invitees, including the Plaintiffs, of the dangerous condition of the liquid substance on the floor;
- (i) Failing to detour or divert its customers and business invitees around the dangerous condition of the liquid substance on the floor;
- (j) Maintaining or permitting to exist an unreasonably dangerous condition of the liquid substance on the floor; and
- (k) Other acts and/or omissions that may be discovered during the pendency and litigation of this cause of action.

12.

As a result of the above references actions, omissions and breaches of duties, the Defendant was negligent and said negligent proximately caused the Plaintiff to suffer damages.

D. DAMAGES

13.

The Plaintiff herein adopts and incorporates paragraphs 1 through 12 of this Complaint.

14.

As a direct and proximate result of the Defendant's negligence, the Plaintiff received and suffered serious, painful, disabling and permanent bodily injuries which required her to incur or become liable for certain medical and other expenses for which she should be reasonably and adequately compensated for by the Defendant.

15.

As a direct and proximate result of the Defendant's negligence, the Plaintiff received and suffered pain and suffering for which she should be reasonably and adequately compensated for by the Defendant.

16.

As a direct and proximate result of the Defendant's negligence, the Plaintiff suffered physical, mental and emotional duress for which she should be reasonably and adequately compensated for by the Defendant.

17.

As a direct and proximate result of the Defendant's negligence, the Plaintiff anticipates future medical expenses and future pain and suffering for which she should be reasonably and adequately compensated for by the Defendant.

WHEREFORE PREMISES CONSIDERED, Plaintiff, RHONDA EDWARDS, demand judgment for past, present and future actual damages; past, present and future pain and suffering; together with pre-judgment and post-judgment interest at the legal rate and all costs and attorney's fees incurred herein. The Plaintiff further demands any such other relief, either special or general, to which she may be entitled.

Respectfully Submitted,

RHONDA EDWARDS, Plaintiff

BY:


LEN MELVIN
Of Counsel

LEN MELVIN (MSB #2864)
CHASE FORD MORGAN (MSB #103311)
Attorneys for Plaintiff
Post Office Box 221
Hattiesburg, MS 39403-0221
Phone: 601/583-1990
Fax: 601/583-1995

(SHERIFF OR PROCESS SERVER)

IN THE CIRCUIT COURT OF JONES COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT

RHONDA EDWARDS

PLAINTIFF

VERSUS

CAUSE NO.: 2012-40-CV4

WAL-MART STORES, INC.

DEFENDANT

SUMMONS

THE STATE OF MISSISSIPPI

TO: WAL-MART STORES, INC.

c/o CT Corporation System

645 Lakeland East Drive, Suite 101

Flowood, Mississippi 39232

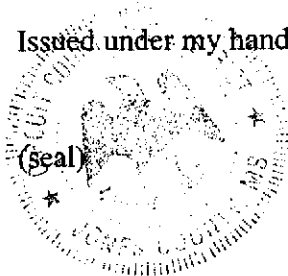
NOTICE TO RESPONDENT

THE COMPLAINT OR PETITION WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

You are required to mail or hand-deliver a copy of a written response to the Complaint to Melvin & Morgan, attorney for the Plaintiff(s), whose post office address is Post Office Box 221, Hattiesburg, Mississippi 39403-0221, and whose street address is 1906 Hardy Street, Hattiesburg, Mississippi 39401. Your response must be mailed or delivered within thirty (30) days from the date of delivery of this summons and complaint or a judgment by default will be entered against you for the money or other things demanded in the complaint.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and seal of said Court, this, the 24 day of April, 2012.



Mr. Bart Gavin
Jones County Circuit Clerk

BY: Gayle Bush D.C.

PROOF OF SERVICE – SUMMONS

Name of Person Served

I, the undersigned process server, served the Summons upon the person or entity named above in the manner set forth below (process server must check proper space and provide all additional information that is requested and pertinent to the mode of service used):

_____ CERTIFIED MAIL. By mailing to an address outside or inside Mississippi (by first class mail postage prepaid, restricted delivery, return receipt requested) copies to the person served.

_____ PERSONAL SERVICE. I personally delivered copies to _____
_____ on the _____ day of _____, 2012,
where I found said person in the County of _____, Mississippi at

(address where person was served)

Process Server

STATE OF MISSISSIPPI

COUNTY OF _____

Personally appeared before me the undersigned authority in and for the jurisdiction aforesaid, the within named _____ who being first by me duly sworn states on oath that the matters and facts set forth in the foregoing "Proof of Service" are true and correct as therein stated.

Process Server

SWORN to and subscribed before me this the _____ day of _____, 2012.

(Seal)

Notary Public

My Commission Expires: _____

(SHERIFF OR PROCESS SERVER)

IN THE CIRCUIT COURT OF JONES COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT

RHONDA EDWARDS

PLAINTIFF

VERSUS

CAUSE NO.: 2012-40-CV4

WAL-MART STORES, INC.

DEFENDANT

SUMMONS

THE STATE OF MISSISSIPPI

TO: WAL-MART STORES, INC.

c/o CT Corporation System

645 Lakeland East Drive, Suite 101

Flowood, Mississippi 39232

NOTICE TO RESPONDENT

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You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and seal of said Court, this, the 24th day of April, 2012.

(seal)



Mr. Bart Gavin
Jones County Circuit Clerk

FILED

MAY 10 2012

BY: _____

[Signature]

BART GAVIN
CIRCUIT CLERK
JONES COUNTY, MS

AFFIDAVIT OF SERVICE

CIRCUIT COURT OF JONES COUNTY, MISSISSIPPI

Plaintiff

Rhonda Edwards

vs.

Defendant

Wal-mart Stores, Inc.

Case No.: 2012-40-cv4

Compliance Date: 5/2/2012

I, Terry Keith, being duly sworn, depose and say, I have been duly authorized to make service of the document(s) listed herein in the above styled case. I am over the age of 18, and am not a party to or otherwise interested in this matter.

Date/Time Received: 4/25/2012

Document(s): Summons and Complaint

Serve To: Wal-mart Stores, Inc. c/o CT Corporation System

Address: 645 Lakeland East Drive Ste. 101, Flowood, MS 39232

Date Served: 5/4/12 Time Served: 1:10 AM/PMMethod of Service: ☐ Individual ☐ Substitute ☒ Corporate ☐ Govt. Agency ☐ Posted ☐ Other ☐ Non-Served)Person Served: Matt Thibodeaux Capacity: Legal Asst.Address: 645 Lakeland E. St. 101, Flowood, MSMilitary Status: ☐ N/A ☐ Not in Military ☐ Active Duty Military

After exercising reasonable diligence, I was unable to deliver copies to said person within _____ county, MS. I served the documents listed above on the ____ day of _____, at the usual place of abode of said person by leaving a true copy of the documents listed above with _____, who is the _____ (insert family relationship), a member of the family who is above the age of sixteen years old who was willing to receive service. And thereafter on the ____ day of _____, I mailed (by first class postage prepaid) copies to the person served at his/her place of abode where copies were left.

I declare under penalties of perjury that the information contained herein is correct to the best of my knowledge.

Terry Keith

Executed on 5/7/12

Quantum Process
418 Pittman Road
Ellisville, MS 39437
(601) 319-2675

State of MSCounty of JonesSubscribed and sworn to before me, a notary public, on 5/7/12

Michelle Murray

Notary Public

My Commission Expires



ID: 24648

**IN THE CIRCUIT COURT OF JONES COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT**

RHONDA EDWARDS,

Plaintiff,

vs.

WAL-MART STORES, INC.

Defendant.

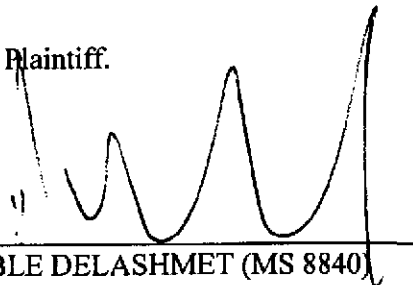
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CASE NO. 2012-40-CV4

NOTICE OF SERVICE OF DISCOVERY

In accordance with the Mississippi Rules of Civil Procedure, Defendant Wal-Mart Stores East, L.P. (incorrectly identified as Wal-Mart Stores, Inc.), gives notice to the court that the following discovery has been served on the Plaintiff:

1. Wal-Mart's First Set of Interrogatories and Requests for Production of Documents to Plaintiff; and
2. Wal-Mart's Second Set of Discovery to Plaintiff.



W. PEMBLE DELASHMET (MS 8840)

wpd@delmar-law.com

CHAD C. MARCHAND (MS 102752)

ccm@delmar-law.com

Attorneys for Wal-Mart Stores East, LP

OF COUNSEL:

DELASHMET & MARCHAND, P.C.

Post Office Box 2047

Mobile, AL 36652

Telephone: (251) 433-1577

Facsimile: (251) 433-1578

FILED

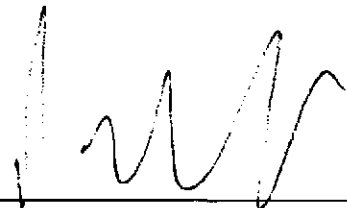
MAY 25 2012

BART GAVIN
CIRCUIT CLERK
JONES COUNTY, MS

CERTIFICATE OF SERVICE

I hereby certify that I have on this day May 23, 2012, served a copy of the foregoing pleading upon counsel as listed below by depositing the same in the U. S. Mail, postage prepaid and properly addressed.

Len Melvin
CHASE FORD MORGAN
Post Office Box 221
Hattiesburg, MS 39403-0221



OF COUNSEL

IN THE CIRCUIT COURT OF JONES COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT

RHONDA EDWARDS,

Plaintiff,

vs.

WAL-MART STORES, INC.

Defendant.

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CASE NO. 2012-40-CV4

NOTICE OF INTENT TO SERVE SUBPOENA DUCES TECUM

To: Len Melvin
Chase Ford Morgan
Post Office Box 221
Hattiesburg, MS 39403-0221

YOU ARE NOTIFIED that after 10 days from the date of service of this notice the undersigned will apply to the clerk of this Court for issuance of the attached subpoena directed to the following, who is not a party and whose addresses appear as follows, to produce the items listed at the time and place specified in the subpoena.

Custodian for:

Wesley Medical Center
5001 Hardy Street
Hattiesburg, MS 39402

Comfort Care Home Health
2260 Highway 15 N
Laurel, MS 39440

Southern Bone & Joint
3688 Veterans Memorial Drive
Suite 200
Hattiesburg, MS 34401

South Central Regional Medical
1220 Jefferson Street
Laurel, MS 39440

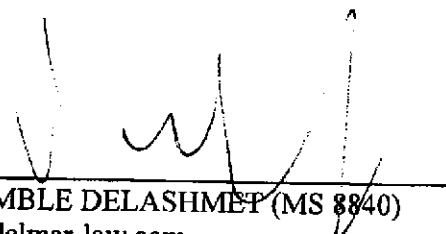
Dr. Kurt Bruckmeier
101 Ashbury Circle
Hattiesburg, MS 39402

HIPAA DISCLOSURE: Pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPAA), this notice shall operate as written notice to Plaintiff(s) that protected health information is being sought by the undersigned attorney pursuant to 45 C.F.R. § 164.512(e).

FILED

MAY 29 2012

BART GAVIN
CIRCUIT CLERK
JONES COUNTY, MS



W. PEMBLE DELASHMET (MS 8840)
wpd@delmar-law.com
CHAD C. MARCHAND (MS 102752)
ccm@delmar-law.com
Attorneys for Wal-Mart Stores East, LP

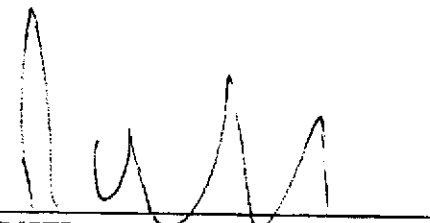
OF COUNSEL:

DELASHMET & MARCHAND, P.C.
Post Office Box 2047
Mobile, AL 36652
Telephone: (251) 433-1577
Facsimile: (251) 433-1578

CERTIFICATE OF SERVICE

I hereby certify that I have on this day May 24, 2012, served a copy of the foregoing pleading upon counsel as listed below by depositing the same in the U. S. Mail, postage prepaid and properly addressed.

Len Melvin
Chase Ford Morgan
Post Office Box 221
Hattiesburg, MS 39403-0221



OF COUNSEL

IN THE CIRCUIT COURT OF JONES COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT

RHONDA EDWARDS,

Plaintiff,

vs.

WAL-MART STORES, INC.

Defendant.

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CASE NO. 2012-40-CV4

ANSWER

Defendant Wal-Mart Stores East, L.P. (hereinafter "Wal-Mart"), incorrectly identified as "Wal-Mart Stores, Inc.", answers Plaintiff's Complaint as follows with each numbered paragraph corresponding to the numbered paragraphs of Plaintiff's Complaint:

A. PARTIES

1.

Wal-Mart is without knowledge and information sufficient to form a belief as to Plaintiff's age or residency and, therefore, must deny the same.

2.

Wal-Mart Stores, Inc. admits it is a corporation authorized to do business in Mississippi and may be served via its registered agent. However, Wal-Mart Stores, Inc. denies any involvement in the alleged incident giving rise to this action, and denies it was the owner or operator of the premises where this incident occurred. Wal-Mart Stores East, L.P. admits it is a limited partnership authorized to do business in Mississippi and may be served via its registered agent,

FILED

JUN 04 2012

and that at all times pertinent herein was the operator of the premises where this incident occurred.

B. JURISDICTION AND VENUE

3.

Wal-Mart admits that at the present time, jurisdiction is proper in this Court. To the extent this paragraph asserts allegations against Wal-Mart, the same are denied and strict proof thereof is demanded.

4.

Wal-Mart admits that at the present time, venue is proper in this Court. To the extent this paragraph asserts allegations against Wal-Mart, the same are denied and strict proof thereof is demanded.

C. FACTUAL BACKGROUND

5.

Wal-Mart hereby adopts and incorporates by reference the foregoing paragraphs the same as though fully repeated herein.

6.

Wal-Mart Stores East, L.P. admits that Plaintiff, Rhonda Edwards, was walking on its premises at the Wal-Mart store located in Laurel Mississippi, on or about May 28, 2010, and was involved in an incident. Wal-Mart Stores, Inc. denies it was the owner or operator of the premises where this incident occurred. Wal-Mart is without knowledge and information sufficient to form a belief as to the allegations concerning Plaintiff's purpose for her presence at Wal-Mart, or her status as a "business invitee", and, therefore, must deny the same and demand

strict proof thereof. Wal-Mart is without knowledge and information sufficient to form a belief as to the allegations concerning the details of how the incident occurred, or Plaintiff's alleged injuries and damages, and, therefore, must deny the same and demand strict proof thereof. Wal-Mart denies the remaining allegations of this paragraph and demands strict proof thereof.

7.

Wal-Mart is without knowledge and information sufficient to form a belief as to the allegations concerning Plaintiff's "knowledge" of any particular condition on its premises and, therefore, must deny the same and demand strict proof thereof. Wal-Mart denies the remaining allegations of this paragraph and demands strict proof thereof.

D. CLAIMS AND CAUSES OF ACTION

8.

Wal-Mart hereby adopts and incorporates by reference the foregoing paragraphs the same as though fully repeated herein.

9.

Wal-Mart denies it "knew, or should have known" of the condition about which Plaintiff complains; and further denies its conduct constituted negligence. Wal-Mart denies the remaining allegations of this paragraph and demands strict proof thereof.

10.

Wal-Mart denies its conduct constituted negligence, and denies that its conduct was the "sole and proximate cause" of Plaintiff's alleged injuries. Wal-Mart admits that the law imposes certain duties upon it as the operator of a retail establishment, which laws speak for themselves. Wal-Mart denies the remaining allegations of this paragraph and demands strict proof thereof.

11.

Wal-Mart denies its conduct constituted negligence, and specifically denies all allegations contained in subparts (a) through (k). Wal-Mart denies the remaining allegations of this paragraph and demands strict proof thereof.

12.

Wal-Mart denies the allegations of this paragraph and demands strict proof thereof.

D. DAMAGES

13.

Wal-Mart hereby adopts and incorporates by reference the foregoing paragraphs the same as though fully repeated herein.

14.

Wal-Mart denies its conduct was the direct and proximate cause of Plaintiff's alleged injuries and damages, if any, and denies it was negligent and demands strict proof thereof. Wal-Mart is without knowledge and information sufficient to form a belief as to the allegations concerning Plaintiff's injuries and damages, and, therefore, must deny the same and demand strict proof thereof. Wal-Mart denies the remaining allegations of this paragraph and demands strict proof thereof.

15.

Wal-Mart denies its conduct was the direct and proximate cause of Plaintiff's alleged injuries and damages, if any, and denies it was negligent and demands strict proof thereof. Wal-Mart is without knowledge and information sufficient to form a belief as to the allegations concerning Plaintiff's injuries and damages, and, therefore, must deny the same and demand

strict proof thereof. Wal-Mart denies the remaining allegations of this paragraph and demands strict proof thereof.

16.

Wal-Mart denies its conduct was the direct and proximate cause of Plaintiff's alleged injuries and damages, if any, and denies it was negligent and demands strict proof thereof. Wal-Mart is without knowledge and information sufficient to form a belief as to the allegations concerning Plaintiff's injuries and damages, and, therefore, must deny the same and demand strict proof thereof. Wal-Mart denies the remaining allegations of this paragraph and demands strict proof thereof.

17.

Wal-Mart denies its conduct was the direct and proximate cause of Plaintiff's alleged injuries and damages, if any, and denies it was negligent and demands strict proof thereof. Wal-Mart is without knowledge and information sufficient to form a belief as to the allegations concerning Plaintiff's injuries and damages, and, therefore, must deny the same and demand strict proof thereof. Wal-Mart denies the remaining allegations of this paragraph and demands strict proof thereof.

Wal-Mart denies the allegations contained in the unnumbered paragraph following paragraph 17 which begins "Wherefore" and specifically denies that the Plaintiff is entitled to any recovery whatsoever.

AFFIRMATIVE DEFENSES

1. Defendant denies each and every material allegation of Plaintiff's Complaint not otherwise addressed and demands strict proof thereof.

2. Plaintiff was guilty of negligence that caused or contributed to cause the injuries about which she complains.

3. The alleged hazard about which Plaintiff complains was open and obvious thereby obviating a duty to warn and precluding Plaintiff from recovering damages under Mississippi law.

4. Defendant did not have notice of the alleged hazard about which Plaintiff complains, and therefore, under Mississippi law, Defendant owed Plaintiff no duty to eliminate the alleged hazard.

5. No act or omissions of this Defendant was the proximate cause of any injury to Plaintiff.

6. Defendant owed Plaintiff no duty as alleged, the breach of which caused or contributed to the cause of the Plaintiff's injuries.

7. Plaintiff's injuries and damages were the result of an intervening and/or superseding cause; therefore, Plaintiff should not recover from Defendant.

8. Defendant respectfully demands credit for any and all monies paid to, or on behalf of, Plaintiff from any and all collateral sources.

9. Plaintiff, in whole or in part, failed to mitigate her alleged damages, and therefore is precluded from recovery.

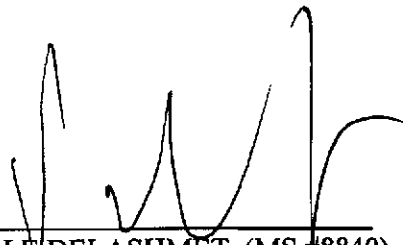
10. Plaintiff's alleged damages are the result of a condition and/or injury which predates the incident made the basis of her Complaint and having no causal relationship with this defendant.

11. Plaintiff's complaint against Wal-Mart Stores, Inc., fails to state a claim against it upon which relief can be granted.

12. Defendant reserves the right to add and/or supplement these affirmative defenses as discovery in this matter has not yet begun.

DEFENDANT DEMANDS TRIAL BY STRUCK JURY.

Respectfully submitted on May 30, 2012.



W. PEMBLE DELASHMET (MS #8840)
wpd@delmar-law.com
CHAD C. MARCHAND (MS# 102752)
ccm@delmar-law.com
Attorneys for Wal-Mart Stores East, LP

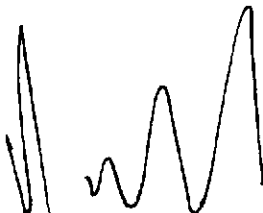
OF COUNSEL:

DELASHMET & MARCHAND, P.C.
Post Office Box 2047
Mobile, AL 36652
Telephone: (251) 433-1577
Facsimile: (251) 433-1578

CERTIFICATE OF SERVICE

I hereby certify that I have on this day May 30, 2012, served a copy of the foregoing pleading upon counsel as listed below by depositing the same in the U. S. Mail, postage prepaid and properly addressed.

Len Melvin
Chase Ford Morgan
Post Office Box 221
Hattiesburg, MS 39403-0221



OF COUNSEL

IN THE CIRCUIT COURT OF JONES COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT

RHONDA EDWARDS,

Plaintiff,

vs.

WAL-MART STORES, INC.

Defendant.

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CASE NO. 2012-40-CV4

CIVIL SUBPOENA DUCES TECUM

STATE OF MISSISSIPPI:

TO: **South Central Regional Medical Center**
1220 Jefferson Street
Laurel, MS 39440

Pursuant to Rule 45(b)(2) of the Mississippi Rules of Civil Procedure, you are ordered to be and appear at the offices of DeLashmet & Marchand, 462 Dauphin Street, Mobile, Alabama 36602 on **June 25, 2012, at 9:00 a.m.**, and to produce and bring with him/her the following documents, or in the alternative, to mail the documents listed below to W. Pemble DeLashmet, 462 Dauphin Street, Mobile, Alabama 36602:

*****CERTIFIED***** copies of any and all medical records, including but not limited to all records, notes, memoranda, correspondence, medical reports, written results of laboratory tests, written results of x-rays, written results of diagnostic tests, hospital records, physical therapy records or reports, photographs, bills for services rendered and/or a full billing history pertaining to the treatment of Rhonda Edwards, whose Date of Birth is 1/9/1952 and whose Social Security Number is xxx-xx-0136

Please COMPLETE the attached certificate and RETURN it with the records.

PURSUANT TO THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 (HIPAA), 45 C.F.R. § 164.512(e): The subject of these records, or his/her personal representative by and through his/her attorney of record, has been notified in writing of this subpoena for records. Attached hereto is a copy of the written notice, which included sufficient information about the litigation in which the protected health information is requested to permit the individual to raise an objection to the court. The time for the individual to raise an objection to the court has elapsed and

either no objections were filed, or any objections filed by the individual have been resolved by the court and the disclosures being sought are consistent with such a resolution.

Failure to comply with this subpoena may be grounds for contempt of Court.

Consider this subpoena ongoing in nature. You must provide additional medical records and reports until litigation is concluded.

This subpoena duces tecum does not require your appearance. The items requested may be delivered by you in person or by United States mail to arrive at the aforesaid location on or before the date and time stated herein.

HEREIN YOU SHALL NOT FAIL UNDER PENALTY IN SUCH CASE PROVIDED, and have then and there this writ.

WITNESS my signature and seal of office this the 11 day of

June, 2012.

Clerk of Circuit Court
Jones County, Mississippi

By: [Signature]
Deputy Clerk

RETURN ON SERVICE

Received this subpoena at _____m. on _____ and on _____ at _____m. I served it on the within named _____ by delivering a copy of this civil subpoena.

Dated _____, 2012.

Process Server

**IN THE CIRCUIT COURT OF JONES COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT**

RHONDA EDWARDS,

Plaintiff,

vs.

WAL-MART STORES, INC.

Defendant.

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CASE NO. 2012-40-CV4

CERTIFICATE

I, _____, hereby certify and affirm in writing, that I am the Record Custodian for **South Central Regional Medical Center** and that the within copy of said records are an exact, full, true and correct copy of said medical records pertaining to **Rhonda Edwards** kept in the records office.

I further certify that I am personally familiar with and know that the records were made and kept in the usual and regular course of business of said office and it was in the regular course of business of said office to make and keep said records and that said records were made at the time of the acts, transactions, occurrences or events to which they refer, or within a reasonable time thereafter. All of which I hereby certify and affirm on this ____ day of _____, 2012.

CUSTODIAN OF RECORDS

Sworn and subscribed to before me on this ____ day of _____, 2012.

NOTARY PUBLIC
My Commission Expires:

IN THE CIRCUIT COURT OF JONES COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT

RHONDA EDWARDS,

Plaintiff,

vs.

WAL-MART STORES, INC.

Defendant.

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CASE NO. 2012-40-CV4

CIVIL SUBPOENA DUCES TECUM

STATE OF MISSISSIPPI:

TO: **Southern Bone & Joint
3688 Veterans Memorial Drive
Suite 200
Hattiesburg, MS 39401**

Pursuant to Rule 45(b)(2) of the Mississippi Rules of Civil Procedure, you are ordered to be and appear at the offices of DeLashmet & Marchand, 462 Dauphin Street, Mobile, Alabama 36602 on **June 25, 2012, at 9:00 a.m.**, and to produce and bring with him/her the following documents, or in the alternative, to mail the documents listed below to W. Pemble DeLashmet, 462 Dauphin Street, Mobile, Alabama 36602:

*****CERTIFIED***** copies of any and all medical records, including but not limited to all records, notes, memoranda, correspondence, medical reports, written results of laboratory tests, written results of x-rays, written results of diagnostic tests, hospital records, physical therapy records or reports, photographs, bills for services rendered and/or a full billing history pertaining to the treatment of **Rhonda Edwards, whose Date of Birth is 1/9/1952 and whose Social Security Number is xxx-xx-0136**

Please **COMPLETE** the attached certificate and **RETURN** it with the records.

PURSUANT TO THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 (HIPAA), 45 C.F.R. § 164.512(e): The subject of these records, or his/her personal representative by and through his/her attorney of record, has been notified in writing of this subpoena for records. Attached hereto is a copy of the written notice, which included sufficient information about the litigation in which the protected health information is requested to permit the individual to raise an objection to

the court. The time for the individual to raise an objection to the court has elapsed and either no objections were filed, or any objections filed by the individual have been resolved by the court and the disclosures being sought are consistent with such a resolution.

Failure to comply with this subpoena may be grounds for contempt of Court.

Consider this subpoena ongoing in nature. You must provide additional medical records and reports until litigation is concluded.

This subpoena duces tecum does not require your appearance. The items requested may be delivered by you in person or by United States mail to arrive at the aforesaid location on or before the date and time stated herein.

HEREIN YOU SHALL NOT FAIL UNDER PENALTY IN SUCH CASE PROVIDED, and have then and there this writ.

WITNESS my signature and seal of office this the 11 day of

June, 2012.

Clerk of Circuit Court
Jones County, Mississippi

By: Myra B. LDC
Deputy Clerk

RETURN ON SERVICE

Received this subpoena at _____m. on _____ and on _____ at _____m. I served it on the within named _____ by delivering a copy of this civil subpoena.

Dated _____, 2012.

Process Server

**IN THE CIRCUIT COURT OF JONES COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT**

RHONDA EDWARDS,

Plaintiff,

vs.

WAL-MART STORES, INC.

Defendant.

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CASE NO. 2012-40-CV4

CERTIFICATE

I, _____, hereby certify and affirm in writing, that I am the Record Custodian for **Southern Bone & Joint** and that the within copy of said records are an exact, full, true and correct copy of said medical records pertaining to **Rhonda Edwards** kept in the records office.

I further certify that I am personally familiar with and know that the records were made and kept in the usual and regular course of business of said office and it was in the regular course of business of said office to make and keep said records and that said records were made at the time of the acts, transactions, occurrences or events to which they refer, or within a reasonable time thereafter. All of which I hereby certify and affirm on this ____ day of _____, 2012.

CUSTODIAN OF RECORDS

Sworn and subscribed to before me on this ____ day of _____, 2012.

NOTARY PUBLIC
My Commission Expires:

IN THE CIRCUIT COURT OF JONES COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT

RHONDA EDWARDS,

Plaintiff,

vs.

WAL-MART STORES, INC.

Defendant.

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CASE NO. 2012-40-CV4

CIVIL SUBPOENA DUCES TECUM

STATE OF MISSISSIPPI:

TO: **Dr. Kurt Bruckmeier**
101 Ashbury Circle
Hattiesburg, MS 39402

Pursuant to Rule 45(b)(2) of the Mississippi Rules of Civil Procedure, you are ordered to be and appear at the offices of DeLashmet & Marchand, 462 Dauphin Street, Mobile, Alabama 36602 on **June 25, 2012, at 9:00 a.m.**, and to produce and bring with him/her the following documents, or in the alternative, to mail the documents listed below to W. Pemble DeLashmet, 462 Dauphin Street, Mobile, Alabama 36602:

*****CERTIFIED***** copies of any and all medical records, including but not limited to all records, notes, memoranda, correspondence, medical reports, written results of laboratory tests, written results of x-rays, written results of diagnostic tests, hospital records, physical therapy records or reports, photographs, bills for services rendered and/or a full billing history pertaining to the treatment of **Rhonda Edwards, whose Date of Birth is 1/9/1952 and whose Social Security Number is xxx-xx-0136**

Please COMPLETE the attached certificate and RETURN it with the records.

PURSUANT TO THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 (HIPAA), 45 C.F.R. § 164.512(e): The subject of these records, or his/her personal representative by and through his/her attorney of record, has been notified in writing of this subpoena for records. Attached hereto is a copy of the written notice, which included sufficient information about the litigation in which the protected health information is requested to permit the individual to raise an objection to the court. The time for the individual to raise an objection to the court has elapsed and

either no objections were filed, or any objections filed by the individual have been resolved by the court and the disclosures being sought are consistent with such a resolution.

Failure to comply with this subpoena may be grounds for contempt of Court.

Consider this subpoena ongoing in nature. You must provide additional medical records and reports until litigation is concluded.

This subpoena duces tecum does not require your appearance. The items requested may be delivered by you in person or by United States mail to arrive at the aforesaid location on or before the date and time stated herein.

HEREIN YOU SHALL NOT FAIL UNDER PENALTY IN SUCH CASE PROVIDED, and have then and there this writ.

WITNESS my signature and seal of office this the 11 day of June, 2012.

Clerk of Circuit Court
Jones County, Mississippi

By: [Signature]
Deputy Clerk

RETURN ON SERVICE

Received this subpoena at ____m. on _____ and on _____ at ____m. I served it on the within named _____ by delivering a copy of this civil subpoena.

Dated _____, 2012.

Process Server

IN THE CIRCUIT COURT OF JONES COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT

RHONDA EDWARDS,

Plaintiff,

vs.

WAL-MART STORES, INC.

Defendant.

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CASE NO. 2012-40-CV4

CERTIFICATE

I, _____, hereby certify and affirm in writing, that I am the Record Custodian for **Dr. Kurt Bruckmeier** and that the within copy of said records are an exact, full, true and correct copy of said medical records pertaining to **Rhonda Edwards** kept in the records office.

I further certify that I am personally familiar with and know that the records were made and kept in the usual and regular course of business of said office and it was in the regular course of business of said office to make and keep said records and that said records were made at the time of the acts, transactions, occurrences or events to which they refer, or within a reasonable time thereafter. All of which I hereby certify and affirm on this ____ day of _____, 2012.

CUSTODIAN OF RECORDS

Sworn and subscribed to before me on this ____ day of _____, 2012.

NOTARY PUBLIC
My Commission Expires:

IN THE CIRCUIT COURT OF JONES COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT

RHONDA EDWARDS,

Plaintiff,

vs.

WAL-MART STORES, INC.

Defendant.

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CASE NO. 2012-40-CV4

CIVIL SUBPOENA DUCES TECUM

STATE OF MISSISSIPPI:

TO: **Wesley Medical Center
5001 Hardy Street
Hattiesburg, MS 39402**

Pursuant to Rule 45(b)(2) of the Mississippi Rules of Civil Procedure, you are ordered to be and appear at the offices of DeLashmet & Marchand, 462 Dauphin Street, Mobile, Alabama 36602 on **June 25, 2012, at 9:00 a.m.**, and to produce and bring with him/her the following documents, or in the alternative, to mail the documents listed below to W. Pemble DeLashmet, 462 Dauphin Street, Mobile, Alabama 36602:

*****CERTIFIED***** copies of any and all medical records, including but not limited to all records, notes, memoranda, correspondence, medical reports, written results of laboratory tests, written results of x-rays, written results of diagnostic tests, hospital records, physical therapy records or reports, photographs, bills for services rendered and/or a full billing history pertaining to the treatment of Rhonda Edwards, whose Date of Birth is 1/9/1952 and whose Social Security Number is xxx-xx-0136

Please COMPLETE the attached certificate and RETURN it with the records.

PURSUANT TO THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 (HIPAA), 45 C.F.R. § 164.512(e): The subject of these records, or his/her personal representative by and through his/her attorney of record, has been notified in writing of this subpoena for records. Attached hereto is a copy of the written notice, which included sufficient information about the litigation in which the protected health information is requested to permit the individual to raise an objection to the court. The time for the individual to raise an objection to the court has elapsed and

either no objections were filed, or any objections filed by the individual have been resolved by the court and the disclosures being sought are consistent with such a resolution.

Failure to comply with this subpoena may be grounds for contempt of Court.

Consider this subpoena ongoing in nature. You must provide additional medical records and reports until litigation is concluded.

This subpoena duces tecum does not require your appearance. The items requested may be delivered by you in person or by United States mail to arrive at the aforesaid location on or before the date and time stated herein.

HEREIN YOU SHALL NOT FAIL UNDER PENALTY IN SUCH CASE PROVIDED, and have then and there this writ.

WITNESS my signature and seal of office this the 11 day of June, 2012.

Clerk of Circuit Court
Jones County, Mississippi

By: Joseph Bush
Deputy Clerk

RETURN ON SERVICE

Received this subpoena at _____m. on _____ and on _____ at _____m. I served it on the within named _____ by delivering a copy of this civil subpoena.

Dated _____, 2012.

Process Server

**IN THE CIRCUIT COURT OF JONES COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT**

RHONDA EDWARDS,

Plaintiff,

vs.

WAL-MART STORES, INC.

Defendant.

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CASE NO. 2012-40-CV4

CERTIFICATE

I, _____, hereby certify and affirm in writing, that I am the Record Custodian for **Wesley Medical Center** and that the within copy of said records are an exact, full, true and correct copy of said medical records pertaining to **Rhonda Edwards** kept in the records office.

I further certify that I am personally familiar with and know that the records were made and kept in the usual and regular course of business of said office and it was in the regular course of business of said office to make and keep said records and that said records were made at the time of the acts, transactions, occurrences or events to which they refer, or within a reasonable time thereafter. All of which I hereby certify and affirm on this ____ day of _____, 2012.

CUSTODIAN OF RECORDS

Sworn and subscribed to before me on this ____ day of _____, 2012.

NOTARY PUBLIC
My Commission Expires:

**IN THE CIRCUIT COURT OF JONES COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT**

RHONDA EDWARDS,

Plaintiff,

vs.

WAL-MART STORES, INC.

Defendant.

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CASE NO. 2012-40-CV4

CIVIL SUBPOENA DUCES TECUM

STATE OF MISSISSIPPI:

TO: **Comfort Care Home Health
2260 Highway 15 N
Laurel, MS 39440**

Pursuant to Rule 45(b)(2) of the Mississippi Rules of Civil Procedure, you are ordered to be and appear at the offices of DeLashmet & Marchand, 462 Dauphin Street, Mobile, Alabama 36602 on **June 25, 2012, at 9:00 a.m.**, and to produce and bring with him/her the following documents, or in the alternative, to mail the documents listed below to W. Pemble DeLashmet, 462 Dauphin Street, Mobile, Alabama 36602:

*****CERTIFIED***** copies of any and all medical records, including but not limited to all records, notes, memoranda, correspondence, medical reports, written results of laboratory tests, written results of x-rays, written results of diagnostic tests, hospital records, physical therapy records or reports, photographs, bills for services rendered and/or a full billing history pertaining to the treatment of Rhonda Edwards, whose Date of Birth is 1/9/1952 and whose Social Security Number is xxx-xx-0136

Please COMPLETE the attached certificate and RETURN it with the records.

PURSUANT TO THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 (HIPAA), 45 C.F.R. § 164.512(e): The subject of these records, or his/her personal representative by and through his/her attorney of record, has been notified in writing of this subpoena for records. Attached hereto is a copy of the written notice, which included sufficient information about the litigation in which the protected health information is requested to permit the individual to raise an objection to the court. The time for the individual to raise an objection to the court has elapsed and

either no objections were filed, or any objections filed by the individual have been resolved by the court and the disclosures being sought are consistent with such a resolution.

Failure to comply with this subpoena may be grounds for contempt of Court.

Consider this subpoena ongoing in nature. You must provide additional medical records and reports until litigation is concluded.

This subpoena duces tecum does not require your appearance. The items requested may be delivered by you in person or by United States mail to arrive at the aforesaid location on or before the date and time stated herein.

HEREIN YOU SHALL NOT FAIL UNDER PENALTY IN SUCH CASE PROVIDED, and have then and there this writ.

WITNESS my signature and seal of office this the 11 day of June, 2012.

Clerk of Circuit Court
Jones County, Mississippi

By: [Signature]
Deputy Clerk

RETURN ON SERVICE

Received this subpoena at ____m. on _____ and on _____ at ____m. I served it on the within named _____ by delivering a copy of this civil subpoena.

Dated _____, 2012.

Process Server

IN THE CIRCUIT COURT OF JONES COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT

RHONDA EDWARDS,

Plaintiff,

vs.

WAL-MART STORES, INC.

Defendant.

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CASE NO. 2012-40-CV4

CERTIFICATE

I, _____, hereby certify and affirm in writing, that I am the Record Custodian for **Comfort Care Home Health** and that the within copy of said records are an exact, full, true and correct copy of said medical records pertaining to **Rhonda Edwards** kept in the records office.

I further certify that I am personally familiar with and know that the records were made and kept in the usual and regular course of business of said office and it was in the regular course of business of said office to make and keep said records and that said records were made at the time of the acts, transactions, occurrences or events to which they refer, or within a reasonable time thereafter. All of which I hereby certify and affirm on this ____ day of _____, 2012.

CUSTODIAN OF RECORDS

Sworn and subscribed to before me on this ____ day of _____, 2012.

NOTARY PUBLIC
My Commission Expires:

IN THE CIRCUIT COURT OF JONES COUNTY, MISSISSIPPI
SECOND JUDICIAL DISTRICT

RHONDA EDWARDS,

Plaintiff,

vs.

WAL-MART STORES, INC.

Defendant.

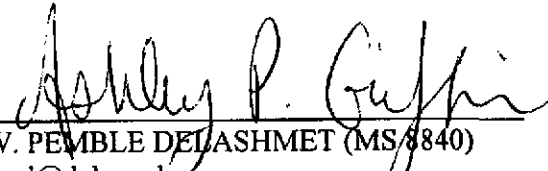
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CASE NO. 2012-40-CV4

NOTICE OF APPEARANCE

Comes now ASHLEY P. GRIFFIN with the firm DeLashmet & Marchand, P.C.
and files her Notice of Appearance as additional counsel for Defendant WAL-MART
STORES EAST, L.P., incorrectly named in the complaint as Wal-Mart Stores, Inc.

Respectfully submitted June 12, 2012.


W. PEMBLE DELASHMET (MS 8840)
wpd@delmar-law.com
CHAD C. MARCHAND (MS 102752)
ccm@delmar-law.com
ASHLEY P. GRIFFIN (MS 104044)
apg@delmar-law.com
Attorneys for Wal-Mart Stores East, LP

OF COUNSEL:

DELASHMET & MARCHAND, P.C.
Post Office Box 2047
Mobile, AL 36652
Telephone: (251) 433-1577
Facsimile: (251) 433-1578

FILED

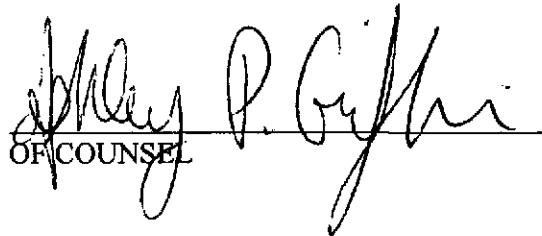
JUN 14 2012

BART GAVIN
CIRCUIT CLERK
JONES COUNTY, MS

CERTIFICATE OF SERVICE

I hereby certify that I have on this day June 12, 2012, served a copy of the foregoing pleading upon counsel as listed below by depositing the same in the U. S. Mail, postage prepaid and properly addressed.

Len Melvin
Chase Ford Morgan
Melvin & Morgan
Post Office Box 221
Hattiesburg, MS 39403-0221


OF COUNSEL

IN THE CIRCUIT COURT OF JONES COUNTY, MISSISSIPPI
SECOND JUDICIAL, DISTRICT

RHONDA EDWARDS

PLAINTIFF

VS.

CAUSE NO. 2012-40-CV4

WAL-MART STORES, INC.

DEFENDANT

NOTICE OF SERVICE OF DISCOVERY

NOTICE is hereby given that the Plaintiff, RHONDA EDWARDS, has this date served the following documents upon the Defendant, WAL-MART STORES, INC., by mailing same to their attorney, Honorable W. Pemble Delashmet and Honorable Chad C. Marchand, via U.S. Mail, postage prepaid, at Post Office Box 2047, Mobile, Alabama 36652:

- 1) *Plaintiff's Answer to Defendant, Wal-Mart Stores, Inc., Request for Admissions;*
and
- 2.) *Plaintiff's Answer to Defendant, Wal-Mart Stores, Inc. Second Set of Request for Production of Documents.*

The undersigned has retained the originals as custodian thereof.

Respectfully submitted,

RHONDA EDWARDS, Plaintiff

BY:


LEN MELVIN, of Counsel

LEN MELVIN (MSB #2864)
MELVIN & MORGAN, ATTORNEYS AT LAW
Attorneys for the Plaintiff
Post Office Box 221
Hattiesburg, Mississippi 39403-0221
Phone: (601) 583-1990
Fax: (601) 583-1995

FILED

JUN 22 2012

JUSTICE GAVIN
CIRCUIT CLERK
JONES COUNTY MS


CERTIFICATE OF SERVICE

I, Len Melvin, attorney for the Plaintiff, do hereby certify that I have this day served a true and correct copy of the foregoing *Notice of Service of Discovery* by mailing same via U.S.

Mail, postage prepaid, to the following:

Honorable W. Pemble Delashmet
Honorable Chad C. Marchand
Delashmet & Marchand, P.C.
Post Office Box 2047
Mobile, Alabama 36652
Attorney for the Defendant, Wal-Mart Stores, Inc.

THIS the 21st day of June, A.D., 2012.



LEN MELVIN